

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JACOB BEVEL,

Plaintiff,

vs.

GARFIELD COUNTY SHERIFF'S  
DEPARTMENT, et al.,

Defendants.

Case No. CIV-05-1362-M


**ORDER**

On December 23, 2005, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging a violation of plaintiff's constitutional rights. The Magistrate Judge recommended that this matter be dismissed without prejudice to refiling based upon plaintiff's failure to pay the initial partial filing fee or to show cause in writing for his failure to pay. Plaintiff was advised of his right to object to the Report and Recommendation by January 12, 2006. A review of the file reveals no objection has been filed.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on December 23, 2005, and
- (2) DISMISSES this action without prejudice to refiling based upon plaintiff's failure to pay the initial partial filing fee or to show cause in writing for his failure to pay.

**IT IS SO ORDERED this 24th day of February, 2006.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE